

Commonwealth of Virginia  
Department of Social Services



**ONS TRANSMITTAL NUMBER** 08 - 04      **DATE:** March 19, 2008

☒ ACTION ITEM

☒ INFORMATIONAL ITEM

**Subject:** Referral and Service Delivery to Special Immigrant Visa Holders

**To:** ONS Resettlement Provider Directors

**From:** Kathy A. Cooper   
Virginia State Refugee Coordinator  
Virginia Office of Newcomer Services

**Effective:** Immediately

**Contact:** [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov) or 804-726-7933

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Office of Newcomer Services (ONS) Transmittal 08-03, dated February 12, authorized refugee resettlement providers under contract with ONS to provide services to Iraqis and Afghans with special immigrant visas (SIVs) and their spouses and children. Specifically addressed in that Transmittal were services provided under the Refugee Social Services Program, Refugee Targeted Assistance Program, Refugee Medical Assistance, and Refugee Cash Assistance.

Since the issuance of ONS Transmittal 08-03, the Department of State, the Department of Health and Human Services, and the Department of Agriculture have issued guidance on the eligibility of Iraqis and Afghans for services administered by those agencies, which include the Reception and Placement Program, Temporary Assistance for Needy Families, Medicaid, and the Food Stamp Program.

This transmittal is intended to inform you of:

- I. federal guidance on SIVs eligibility for services
- II. how SIV holders will be referred to your offices
- III. ONS' expectation for service delivery to this population

## **I. Federal Guidance on SIV Eligibility for Services**

### **Entitlement Assistance**

Iraqis and Afghans with special immigrant visas (SIVs) and their spouses and children under 21 are eligible for means tested public benefits, also sometimes called entitlement assistance. To be eligible for this assistance, the SIV holder must meet the income, resource, and covered group requirements of each specific program.

The Department of Agriculture issued guidance explaining that SIVs eligibility for the Food Stamp Program (which includes Food Stamp Employment and Training Program). The Department of Health and Human Services (HHS), Administration for Children and Families issued guidance explaining the SIVs eligibility for the Temporary Assistance for Needy Families Program. HHS, Center for Medicare and Medicaid Services issued guidance explaining the SIV holders' eligibility for Medicaid.

HHS, Office of Refugee Resettlement had earlier issued guidance on SIVs eligibility for Refugee Cash Assistance and Refugee Medical Assistance.

Attached to this Transmittal is Virginia Department of Social Services Broadcast 4790, *Eligibility for Iraqi and Afghan Aliens for Benefit Programs*, which was issued on March 3, 2008 and provides eligibility staff with guidance on SIV eligibility for food stamps, TANF, Medicaid, RCA, and RMA.

### **Refugee Programs**

Iraqis and Afghans with special immigrant visas and their spouses and children under 21 are eligible for refugee programs. These are not means tested programs. To be eligible, the SIV holder must apply for services at a resettlement office under contract with the Office of Newcomer Services or an affiliate of a national voluntary agency under contract with the federal Office of Refugee Resettlement or the Bureau of Population, Refugees, and Migration.

BUREAU OF POPULATION, REFUGEES, AND MIGRATION (Department of State) recently issued *separate* guidance documents to (a) reception and placement (R&P) agencies on March 4 and (b) SIV holders on February 29.

(a) The March 4 guidance to R&P agencies, which is attached, explained that:

- 1) the Bureau of Populations, Refugees, and Migration (PRM) is working with the National Visa Center (NVC), overseas embassies, and the International Organization for Migration to establish procedures through which SIV applicants in Iraq and Afghanistan can indicate their interest in receiving refugee resettlement services. *For those choosing this option*, the NVC will notify the Refugee Processing Center (RPC) and work with that agency to provide the requisite information for refugee processing. Under this scenario,

the SIV holder would enter the U.S. under the auspices of a resettlement agency.

There is an implication that some SIV holders will enter the U.S. through another process and may apply directly to a resettlement office.

- 2) SIV holders already in the U.S. -- who entered after December 26, 2007 and who contact an R&P affiliate -- may be eligible for R&P services. The R&P affiliate is to submit an e-mail request to the Refugee Processing Center. If approved for R&P, the SIV holder "will be allocated post-arrival as pre-destined case."

There is an implication that those SIV holders currently being served by ONS contractors may request reception and placement services for those who entered the U.S. after 12/26/07.

(b) The February 29 guidance, which is attached, to SIV holders explained that:

- 1) The SIV holders should contact the Refugee Processing Center through an e-mail address provided in the guidance document. The SIV holder would be directed via e-mail to a resettlement provider in the geographic area where the SIV holder is residing. The SIV holder would initiate contact with a resettlement agency. The resettlement agency would determine the SIV holder's eligibility for refugee services.
- 2) Assistance provided to the SIV holder includes: applying for a social security card, referral to employment services, enrolling children in school, using public transportation, finding English language classes, learning U.S. customs and laws, referral to social services and other community services, or applying for other government services.

Note: The above section is based on ONS' reading of the PRM guidance materials. To date, ONS has been unable to obtain further details about how PRM is communicating with National Voluntary Agencies and affiliates.

DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF REFUGEE RESETTLEMENT issued two state letters, one on January 18 and one on February 7, 2008. The first, ORR State Letter 08-04, addressed the December 26, 2007 legislation granting Iraqis and Afghans with special immigrant visas eligibility for refugee services and entitlement assistance for six months. The second, ORR State Letter 08-06, addressed the January 28, 2008 legislation increasing Iraqi SIV holders' eligibility to eight months.

- (a) ONS Transmittal 08-03, which is attached, provides guidance on SIV eligibility for Refugee Social Services, the Targeted Assistance Program, and discretionary grants administered by the Office of Newcomer Services.

- (b) No *specific* guidance on the Matching Grant Program (MGP) has been issued. To date, the number of MGP slots has not been increased to allow for this new eligible population. The enrollment date remains the same, within 31 days from the date of U.S. entry; however, on a case by case basis, permission may be granted for an extension of this date.

## **II. Referral of SIV Holders to Resettlement Offices**

There are three primary ways that resettlement offices will learn of the service needs of an SIV holder already in the United States. (This Transmittal does not address the process by which SIV enter the U.S. through the R&P Program.)

1. The State Refugee Coordinator's office will refer individuals to the resettlement office. The federal Office of Refugee Resettlement is directing inquiries it receives from SIV holders to the State Refugee Coordinator in the state where the SIV holder lives. ONS has established the following procedures for handling these calls:
  - a) Each refugee resettlement service provider (RRSP) is asked to assign one person to receive SIV referrals from ONS. That name and phone number is to be sent to Penny Boyd with a copy to Kathy Cooper and Brent Sutton.
  - b) ONS will send the RRSP contact person the SIV's name, date of arrival, and current address. The RRSP will be copied on each e-mail referral. Assignments will be made based on the place of residence of the SIV, with one exception: if there is more than one resettlement office in the area where the SIV resides, referrals will be made equally to each RRSP.
2. The Bureau of Population, Refugees, and Migration will refer SIV holders who contact them to the resettlement office. The process by which this is to be done is not known to ONS. It is requested that each RRSP forward any guidance it receives from PRM or their national VOLAG on this process to ONS.
3. SIV holders will contact the resettlement office on their own or be referred by a local department of social services or an advocacy group.

*ALL SIV HOLDERS, REFERRED THROUGH ANY OF THE ABOVE PROCESSES, ARE TO BE ENTERED INTO VNIS IMMEDIATELY. ENTER THE CASE INFORMATION WHETHER THE CLIENT WILL BE PLACED IN THE MGP, RSS, OR TAP. THE "REFUGEE TYPE" DATA FIELD ON THE CLIENT INFO SCREEN HAS A DROP DOWN BOX WHICH LISTS EACH REFUGEE TYPE. "SPECIAL IMMIGRANT VISA" HAS BEEN ADDED TO THAT DROP DOWN LIST. FOR ANY SIV CASES ALREADY ENTERED INTO VNIS, CHANGE THE REFUGEE TYPE FROM "REFUGEE" TO "SPECIAL IMMIGRANT VISA."*

## **III Expectation for Service Delivery to Afghans and Iraqis with Special Immigrant Visas**

As you are aware, the Iraqis and Afghans with special immigrant visas are entering the U.S. without receiving the standard overseas orientation and without the welcome to the

U.S. orientation provided by your staff to newly arriving refugees. Their military and State Department employers in Iraq and Afghanistan may have, unintentionally, led these individuals to expect a higher level of support than is provided through refugee programs and entitlement assistance.

Additionally, many SIVs do not know what services are provided by what agencies or understand the distinctions between the various agencies and services. The services that are to be provided, as soon as possible after a referral is made by ONS, or an SIV contacts an RRSP include:

- Orientation similar to the orientation provided through R&P Program and the Matching Grant Programs. (ONS is exploring resources that might be available to RRSPs in addressing the special needs of this population.) Scheduling an initial health screening and follow-up as needed.
- Assistance with applying for a social security card; getting a drivers license or identification card; enrolling children in school
- Assistance with employment through RSS, TAP, or MGP
- Assistance with English language classes if needed for employment. The primary SIV holder usually has basic English language skills. The orientation should include an explanation of the basic level of English language assistance that is available through refugee programs. Family members may need classes.
- Assistance with applying for TANF, food stamps, Medicaid, refugee cash assistance, and refugee medical assistance
- Assistance with use of public transportation
- Assistance with completing immigration forms to bring family members to U.S.

ONS expects that the costs of service delivery will come from three primary sources:

1. Reception and Placement Program funding when it becomes available
2. Matching Grant Program funding for those eligible for this program
3. Refugee Social Services funding – Until guidance on funding is provided by the federal Office of Refugee Resettlement, ONS authorizes its service providers to use RSS funding to cover the costs of orientation and assistance as listed above.

The Office of Newcomer Services is developing fact sheets for resettlement offices to give to Iraqis and Afghans with SIVs. These fact sheets will be sent under separate cover within the next two weeks.

Any questions not answered in this transmittal or that arise as SIV holders are served may be directed to Penny Boyd.

Attachments (4)

BROADCAST 4790

DATE: March 3, 2008

TO: Local Departments of Social Services Benefit Programs Staff

FROM: Kathy Cooper, Associate Director, Office of Newcomer Services  
Mark Golden, Program Manager, Temporary Assistance for Needy Families  
Rose Painter, Program Manager, Food Stamp Program  
Stephanie Sivert, Program Manager, Medicaid Program

CATEGORY: Benefit Programs

TIME: 10:46 a.m.

SUBJECT: Eligibility of Iraqi and Afghan Aliens for Benefit Programs  
Update to Broadcast # 4585 (November 2, 2007)

Effective Date: Immediately

CONTACT: Regional Food Stamp, Medicaid, and Temporary Assistance for Needy Families (TANF) Consultants or Penny Boyd, Office of Newcomer Services (ONS), at (804) 726-7933 or [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov)

This Broadcast is to advise local departments of social services eligibility staff of a new population of qualified aliens who are exempt from the five year bar on receipt of federal means-tested public benefits if they meet the program's eligibility criteria.

Effective immediately, special immigrant visa (SIV) holders from Afghanistan and Iraq are eligible for TANF, Food Stamps, Medicaid, Refugee Cash Assistance, Refugee Medical Assistance, and other means-tested programs.

Broadcast 4584 addressed four immigration statuses being given to Afghans and Iraqis admitted to the U.S.: refugee, parolee, conditional refugees, and holders of a certain visa referred to as a special immigrant visas (SIV). *There is no change in the eligibility status of the first three groups and the guidance given in Broadcast 4584 for those three groups is unchanged. The guidance for the fourth group is now obsolete.*

### **Special Immigrant Holders and Family Members**

The guidance in this Broadcast applies to special immigrant visa (SIV) holders, their spouses, and unmarried children under the age of 21, whether the family members accompanied the SIV holder to the U.S., preceded him or her, or follow to join the principal SIV holder.

## Required Documentation

The documents that will confirm both status and date of entry for Iraqi and Afghan special immigrant holders are attached.

## Date of Eligibility

For most special immigrant visa (SIV) holders, the date of eligibility is the date of entry into the U.S. The date of eligibility is different for each family member if they arrive on different dates. The date of eligibility is different for individuals who obtain SIV status after entering the U.S. For them, the date of eligibility is their SIV designation date.

## Period of Eligibility

The period of eligibility begins on the first of the month in which the person entered the U.S. There are two different periods of eligibility for special immigrant visa (SIV) holders. Afghan SIV holders' period of eligibility is six months. Iraqi SIV holders' period of eligibility is eight months.

No benefits under the exemption from the 5-year bar on receipt of means-tested benefits may be provided after the period of eligibility ends. The period of eligibility is counted from the first of the month in which the refugee entered the U.S. The chart below has examples of arrival dates and the period of eligibility.

| PERIOD OF ELIGIBILITY |                                   |                                    |
|-----------------------|-----------------------------------|------------------------------------|
| U.S. ENTRY DATE       | <i>Six Months For<br/>Afghans</i> | <i>Eight Months<br/>For Iraqis</i> |
| Jun 12, 2007          | Jun 1 07 - Nov 30, 07             | Jun 1, 07 - Jan 31, 08             |
| Oct 5, 2007           | Oct 1, 07 - Mar 31, 08            | Oct 1, 07 - May 31, 08             |
| Nov 20, 2007          | Nov 1, 07 - Apr 30, 08            | Nov 1, 07 - Jun 30, 08             |
| Jan 1, 2008           | Jan 1, 07 - Jun 30, 08            | Jan 1, 08 - Aug 31, 08             |
| Jan 30, 2008          | Jan 1, 07 - Jun 30, 08            | Jan 1, 08 - Aug 31, 08             |
| Mar 5, 2008           | Mar 1, 07 - Aug 31, 08            | Mar 1, 08 - Oct 31, 08             |

## Date of Application

Special immigrant visa (SIV) holders who arrived in the U.S. before the date of this Broadcast may apply for services, but their period of eligibility is based on their U.S. entry date. The first example in the chart above shows that some SIV holders may be beyond their period of eligibility because they entered the U.S. more than six or eight months ago. These individuals'

eligibility for assistance is determined based on rules that apply to those subject to the 5-year bar on receipt of federal means tested programs. The second example shows that, for some SIV holders, several months of their period of eligibility have expired. Benefits would be provided for the remaining period of eligibility.

There may be situations in which the Afghan or Iraqi arrived in the U.S. with a status other than SIV and, while in the U.S., applies for and is given the SIV status. For these individuals, the date of eligibility is the date the United States Immigration and Citizenship Services (USCIS) gives the individual the SIV designation.

The chart above does not address those individuals who receive an SIV designation after they have entered the U.S. For Afghans the period of eligibility for such individuals is six months from the SIV designation date. For Iraqis the period of eligibility for such individuals is eight months from the SIV designation date.

### **Eligibility for Means Tested Public Benefits**

Iraqi and Afghani aliens with special immigrant visas and family members are eligible for the following benefits from the date of entry into the U.S., provided they meet all other eligibility requirements for the benefit, including income and resource eligibility requirements and, for Medicaid, the covered group requirement. After the SIV period of eligibility expires, determine the individual's eligibility based on that program's specific rules and procedures.

Food Stamp Program The food stamp certification period cannot exceed the period of eligibility explained above.

FSET Afghan and Iraqi SIV holders and their family members are subject to the same Food Stamp Employment and Training requirements as are other populations. See the Memorandum from Faye Palmer dated February 6, 2007 with the subject heading: *Employment Requirements for FSET Mandatory Refugees*.

TANF TANF payments cannot exceed the period of eligibility explained above. The period of coverage follows existing rules, which is that the first month of coverage is prorated based on the date of the Benefits Program application.

VIEW Afghan and Iraqi SIV holders and their family members are subject to the same Virginia Initiative for Employment not Welfare (VIEW) requirements as are other refugee populations. See Broadcast 2914, which outlines *Job Search Requirements for VIEW Mandatory Refugees*.

Medicaid These families and individuals are entitled to full Medicaid benefits for the period of eligibility explained above. The period of coverage follows existing rules, which is that coverage begins with the first day of the month of application.



After the initial period of eligibility expires

- Adults generally qualify only for Medicaid emergency services.
- Children under age 19 may be eligible for continued full benefit Medicaid coverage as “grandfathered” aliens if they had legal permanent resident status at the time of their original application **or** their status has converted to lawful permanent resident status as of the end of the original eligibility month. Children under age 19 are not subject to the five-year bar or the 40 qualifying quarters of work requirement.

Refugee Cash Assistance Program Follow existing rules, which require the eligibility worker to assess whether the person meets the financial limits for TANF. If the person meets the financial requirements, but does not meet the non-financial requirements, he or she is eligible for RCA. *The period of coverage for RCA begins on the first day of the month of application. This is different from the TANF rule. [See Broadcast 4025.]*

Refugee Medical Assistance Program Follow existing rules, which require that the eligibility worker assess each family member individually for Medicaid eligibility. Family members that are financially and categorically eligible for Medicaid, receive Medicaid. Family members financially eligible for Medicaid, but not categorically eligible for Medicaid, receive RMA.

Other means tested programs These individuals and families are eligible for energy assistance, disaster assistance, the State/Local Hospitalization Program, and general relief if they meet both income and non-financial requirements.

Coding in ADAPT and MMIS for these cases is done in the same manner that other refugee eligible populations are coded.

For TANF, identify the SIV applicant as a non-citizen (N) on the AEDEM1 demographic screen, verified by client statement (CS). Document the SIV number in the comment box. Identify the applicant as a refugee (R) on the Individual Alien/Refugee case status screen (AEALIN) with the last day of the SIV period of eligibility used as the Document Expiration Date.

For Medicaid and food stamps, direct questions about how this is currently done to the regional program consultant.

## **Review of Denied Applications**

If an Afghan or Iraqi special immigrant visa holder or family member applied for benefits prior to the effective dates of the two laws and was denied based on VDSS rules regarding the individual’s alien status, a new application for benefits is required. If an Afghan or Iraqi SIV holder applied for benefits on or after December 26, 2007, ask the individual to provide updated

earned income and other required information to determine if he or she is eligible for Medicaid, Food Stamps, TANF, RCA, or RMA for the remaining months of their period of eligibility.

If you did not take an application but have contact information for individuals who were told they were not qualified to receive benefits, contact these individuals and tell them they may now be eligible should they wish to apply.

### **Of Special Note**

It is expected that there will be additional federal guidance on new laws affecting Iraqi and SIV holders and those with other immigration statuses. This Broadcast is being issued with the limited information we have to date because SIV holders are applying for services in some parts of the state.

Some SIV holders have worked with high level U.S. government officials who may intervene on their behalf. Penny Boyd is available for any assistance that would be helpful to you in this regard. Ms. Boyd's contact information is in the heading of this Broadcast.

### **An important reminder about application for benefit programs**

Individuals with any immigration status may apply for public benefits. The individual must be given the opportunity to submit an application and determination of eligibility must be made. A determination of eligibility cannot be made without the information provided on an application. The applicant has the right to appeal the denial of benefits and cannot do so without a denial of assistance issued by the agency.

**Attachment One**  
**Required Documentation for SIV Holders**

| <b>Applicant</b>   | <b>Documentation</b>   |
|--|--|
| Principal Applicant Afghan Special Immigrant   | SI1 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 and DHS stamp or notation on passport or I-94 showing date of entry |
| Spouse of Principal Applicant Afghan Special Immigrant                                     | SI2 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 and DHS stamp or notation on passport or I-94 showing date of entry |
| Unmarried Child Under 21 Years of Age of Afghan Special Immigrant                          | SI3 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 and DHS stamp or notation on passport or I-94 showing date of entry |
| Principal Applicant Afghan Special Immigrant<br><br>Principal Adjusting Status in the U.S. | DHS Form I-551 (“green card”) showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI6   |
| Spouse of Principal Applicant Afghan Special Immigrant in P6 Category                      | DHS Form I-551 (“green card”) showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI7   |
| Unmarried Child Under 21 Years of Age of Afghan Special Immigrant in P6 Category           | DHS Form I-551 (“green card”) showing Afghan Nationality (or Afghan passport), with an IV (“immigrant visa”) code of SI9   |

**Attachment Two**  
**Required Documentation for Iraqi SIV Holders**

| <b>Applicant</b>   | <b>Documentation</b>  |
|--|---|
| Principal Applicant Iraqi Special Immigrant  | SI1 or SQ1 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 or SQ1 and DHS stamp or notation on passport or I-94 showing date of entry |
| Spouse of Principal Applicant Iraqi Special Immigrant  | SI2 or SQ2 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 or SQ2 and DHS stamp or notation on passport or I-94 showing date of entry |
| Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant   | SI3 or SQ3 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 or SQ3 and DHS stamp or notation on passport or I-94 showing date of entry |
| Principal Applicant Iraqi Special Immigrant<br>Principal Adjusting Status in the U.S.                                    | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI6 or SQ6  |
| Spouse of Principal Applicant Iraqi Special Immigrant<br><br>Principal Applicant Adjusting Status in the U.S.            | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI7 or SQ7  |
| Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant<br><br>Principal Applicant Adjusting Status in the U.S. | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI9 or SQ9  |



**United States Department of State**

*Washington, D.C. 20520*

**March 4, 2008**

**PROGRAM ANNOUNCEMENT 2008-05**

**From: Terry Rusch, Director, Office of Admissions  
Bureau of Population, Refugees, and Migration**

**To: Reception and Placement Agencies**

**Subject: Special Immigrant Visas**

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The Cardin Amendment included in the Consolidated Appropriations Act, 2008 (PL 110-161), enacted December 26, 2007, extended domestic resettlement benefits to Afghan and Iraqi recipients of Special Immigrant Visas (SIVs). Most Afghans or Iraqis who have entered the U.S. on SIVs in recent years have done so under a special SIV category for interpreters and translators of Iraqi or Afghan nationality who have worked directly with the United States armed forces or under Chief of Mission authority. The total number of these SIVs was set at 500 for FY2008 by PL 119-36 enacted in June 2007. More recently, the Refugee Crisis in Iraq Act (included in the National Defense Authorization Act) was signed by the President on January 28, 2008 (PL 110-181). It expanded the categories of SIV eligibility for Iraqis and allows for the annual issuance of 5,000 Iraqi SIVs to eligible applicants for the next five years. Eligible family members are not counted within the 5,000. Like the Cardin Amendment, this act also extends domestic resettlement benefits to Iraqi recipients of Special Immigrant Visas.

The Bureau of Population, Refugees, and Migration (PRM) is working with the National Visa Center (NVC), overseas embassies, and the International Organization for Migration (IOM) to establish a procedure through which SIV applicants can indicate their interest in receiving refugee resettlement services upon approval for an SIV. If applicants declare their intention to participate in the Department of State resettlement program while overseas, they will be required to complete a biographical information sheet and return it to the NVC. NVC will in turn, notify the Refugee Processing Center (RPC), of the individual's interest.

NVC will obtain and forward to the RPC the requisite biographic information so that the case may be allocated to a resettlement agency according to normal allocation procedures but out of a separate SIV pool. The allocation percentages for this SIV pool will reflect current free case allocation percentages. RPC will not match interests for SIVs. All SIVs will be assured as free cases with the placement preferences noted in the denominator codes honored by the assuring agencies.

IOM will make travel arrangements and the SIV will sign a promissory note. Reception and Placement (R&P) agencies will receive the standard refugee per capita payment and will be expected to provide all required R&P services as outlined in their Cooperative Agreements with the Department of State.

SIV recipients who entered the United States on or after December 26, 2007, but before instructions were available to SIV applicants overseas, may contact R&P agencies for resettlement services. Agencies should submit scanned copies of the SIV visa, Permanent Residence Card (“green card”) if it has been received, and proof of date of arrival along with an email stating the agency’s commitment to assure the case to RPC at [siv@wrapsnet.org](mailto:siv@wrapsnet.org). SIVs determined to be eligible for PRM’s resettlement services will be allocated post-arrival as pre-destined cases to the first agency that submits the case’s SIV documents and their email assurance to the RPC. The electronic bio datafile will be sent to the agency, and the agency will return the electronic assurance datafile to the RPC.

If you have questions regarding this announcement please contact:

Barbara Day  
Domestic Resettlement Section Chief  
Office of Admissions  
Bureau of Population, Refugees, and Migration  
Department of State  
Tel: 202-663-1052  
E-mail: [daybj@state.gov](mailto:daybj@state.gov)

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## Frequently Asked Questions (FAQs) on Resettlement Benefits for Iraqi and Afghan Special Immigrant Visa Recipients

Bureau of Population, Refugees, and Migration  
Washington, DC  
February 29, 2008

### **Q: Are there any programs or benefits that an Afghan or Iraqi admitted to the United States under a Special Immigrant Visa (SIV) is eligible for?**

**A:** Yes. A new law that took effect on December 26, 2007 established eligibility for refugee benefits for certain Special Immigrant Visa (SIV) recipients. Prior to December 26, 2007, there were no provisions in the law for any type of resettlement or transition benefits as part of the SIV program. Now under the Consolidated Appropriations Act, 2008 (Public Law 110-161) enacted December 26, 2007, certain Iraqi and Afghan SIV recipients are eligible for the same resettlement assistance, entitlement programs, and other benefits as refugees admitted under the U.S. Refugee Admissions Program. There is also a similar provision in the National Defense Authorization Act, 2008 (Public Law 110-181), enacted on January 28, 2008, that applies just to Iraqi SIV recipients. Under these laws, **Afghans and Iraqis who were admitted to the United States on an SIV on or after December 26, 2007 are eligible to receive resettlement assistance from the Department of State.**

### **Q: Who should I contact to obtain those benefits and services?**

**A:** If you are an Afghan or Iraqi SIV recipient and arrived on or after December 26, 2007, you should contact the Department of State's Refugee Processing Center at [siv@wrapsnet.org](mailto:siv@wrapsnet.org). They will direct you to one of the Department of State's resettlement agencies in your geographic location. You should contact that agency to make an appointment. For your appointment, you and your family members should bring your passports with SIV visas, evidence of arrival date, and your green card (if you've received it). The resettlement agency will confirm your eligibility for benefits.

### **Q: What kind of Department of State benefits would I be eligible for?**

**A:** The Department of State has established guidelines for Reception and Placement Program service providers it funds to provide resettlement services to refugees and eligible SIV recipients. Those eligible to receive services will be assigned to one of these agencies located in or near the place where they are settled. The resettlement agency will assist the beneficiary do the following things:

- Apply for a social security card (you must have one to get a job);
- Learn about and be referred to employment services;
- Enroll children in school;
- Learn to use public transportation;
- Find English language classes;
- Learn about U.S customs and law;
- Learn about and be referred to community services that can help you, including social services, cash and medical assistance, and food stamps, if necessary; and
- Find out about other government services and programs and how to apply.

### **Q: Are there any other benefits available to Iraqi and Afghan SIV recipients?**

**A:** Regardless of whether those Iraqi and Afghan SIV recipients who were admitted to the U.S after December 27, 2007 choose to participate in the Department of State resettlement program, they are also eligible for benefits and services funded by the Health and Human Services Office of Refugee Resettlement including Refugee Cash and Medical Assistance and Refugee Social Services. These federally funded programs provide a variety of services and have strict time limits and guidelines for participation. Iraqi recipients of SIVs are eligible for up to **eight months** of these benefits and services, **beginning on their date of admission to the United States**. Afghan recipients of SIVs are eligible for up to **six months** of these benefits and services, **beginning on their date of admission to the United States**. You can find additional information about these benefits by visiting the Department of Health and Human Services (HHS) Office of Refugee Resettlement web site at <http://www.acf.hhs.gov/programs/orr>.

Released on February 29, 2008

Commonwealth of Virginia  
Department of Social Services



**ONS TRANSMITTAL NUMBER** 08 - 03      **DATE:** February 12, 2008

ONS TRANSMITTAL 08-03 SUPERCEDES TRANSMITTAL 08-02 WITH THE SAME NAME AND DATED JANUARY 25, 2007. TRANSMITTAL 08-02 WAS NEVER ISSUED.

☒ ACTION ITEM                      ☐ INFORMATIONAL ITEM

**Subject:** Special Immigrant Visa Holders Now Eligible For Refugee Services

**To:** ONS Resettlement Provider Directors

**From:** Kathy A. Cooper   
Virginia State Refugee Coordinator  
Virginia Office of Newcomer Services

**Effective:** Immediately

**Contact:** [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov) or 804-726-7933

Effective December 26, 2007, Afghan special immigrant visa (SIV) holders are eligible for refugee services for six months. <sup>1</sup>

Effective January 28, 2008, Iraqi special immigrant visa holders are eligible for refugee services for an eight month period. <sup>2</sup>

Based on guidance from the federal Office of Refugee Resettlement (ORR), these newly enacted laws are to be implemented immediately for the Refugee Social Services Program, Refugee Targeted Assistance Program, Refugee Medical Assistance, and Refugee Cash Assistance.

In Virginia, depending on the geographic area where the SIV holder lives, SIV holders are eligible for services provided under Office of Newcomer Services



(ONS) contracts for Virginia Refugee Social Services Program (RSS), Targeted Assistance Program (TAP), and the Virginia Refugee Student Achievement Project (VRSAP).

1. SIV holders are eligible for all services listed in ONS' contracts with service providers and are subject to the same service priority as all other refugee populations. ONS recommends, however, that *providers take into account the limited time that SIV holders are eligible for refugee services.*
2. Spouses and unmarried children under the age of 21 may accompany their relative to the U.S. or follow-to-join these SIV holders.
3. The eligibility period begin date is the date of arrival in the United States. *If the person is in the U.S. when he or she is given the SIV status, the begin date is the SIV designation date.*
4. Afghani SIV holders who arrived before 12/26/07 or Iraqi SIV holders who arrived before 01/28/08 may apply for services, but their period of eligibility is based on their arrival date.
5. Count the period of eligibility from the first of the month in which the refugee arrived. This is consistent with how RCA and RMA are calculated and is allowed by federal regulation.

| ARRIVAL DATE | ELIGIBILITY PERIOD ENDS    |                            |
|--------------|----------------------------|----------------------------|
|              | <b><i>For Afghani</i></b>  | <b><i>For Iraqi</i></b>    |
| Jun 12, 2007 | Jun 1, 2007 - Nov 30, 2007 | Jun 1, 2007 - Jan 31, 2008 |
| Oct 3, 2007  | Oct 1, 2007 - Mar 31, 2008 | Oct 1, 2007 - May 31, 2008 |
| Nov 28, 2007 | Nov 1, 2007 - Apr 30, 2008 | Nov 1, 2007 - Jun 30, 2008 |
| Jan 15, 2008 | Jan 1, 2007 - Jun 30, 2008 | Jan 1, 2008 - Aug 31, 2008 |
| Jan 30, 2008 | Jan 1, 2007 - Jun 30, 2008 | Jan 1, 2008 - Aug 31, 2008 |
| Mar 12, 2008 | Mar 1, 2007 - Aug 31, 2008 | Mar 1, 2008 - Oct 31, 2008 |

6. SIV family members who arrive on a different date are eligible from the date of their arrival, not the date of arrival of the SIV holder.
7. Demographic and service information for SIV holders who receive RSS and TAP services are to be reported in VNIS in the same manner as other RSS and TAP client data is reported. *The VNIS refugee category would be "other."*

To determine eligibility for RSS and TAP services, ONS contractors must review the immigration status and date of entry for SIV holders and family members. The documents that will confirm both status and date of entry for Iraqi and Afghan special immigrant holders are listed in a table at the end of this Transmittal.

### **Of Special Note**

Some SIV holders applied for services with resettlement agencies and were denied service because they were not in a refugee population eligible for services under the provider's contract with ONS. These denied individuals should be contacted immediately and told of the new law now and an application interview scheduled.

While RSS and TAP services do not normally include assistance with health screenings and applications for social security numbers, driver licenses, and public assistance, ONS contractors may provide this assistance under the terms of its existing contract.

Some SIV holders have worked with high level government officials who may intervene on behalf of this newly eligible population. ONS encourages you to understand that any fervor or frustration shown by them is a reflection of a lack of clarity and understanding of the refugee program and processes. Resettlement program directors are asked to guide their staff on how to handle these interactions, should they occur.

Local departments of social services have not yet received guidance on SIV holders' eligibility for TANF, food stamps, Medicaid, Refugee Cash Assistance, and Refugee Medical Assistance. ONS is working with the Division of Benefit Programs to issue a Broadcast. A copy of this will be sent to you when issued. In the meantime, if you provide services to a SIV holder and think the individual or family may be eligible for benefits, contact Penny Boyd (804-726-7933) or [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov). She will coordinate with the local department of social services that serves the area where the SIV holder resides to give staff guidance on this population's eligibility for benefits.

Any questions not answered in this transmittal or that arise as SIV holders are served may be directed to Penny Boyd.

<sup>1</sup> Public Law 110-161 (the *Consolidated Appropriations Act, 2008*) was signed by the President December 26, 2007. Section 525 of Division G of Title V states: "Iraqi and Afghan aliens granted special immigrant status . . . shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees . . . for a period not to exceed 6 months."

<sup>2</sup> Public Law 110-181 (the *National Defense Authorization Act, 2008*) was signed by the President January 28, 2008. Section 1244 states, in part: "Iraqi aliens granted special immigrant status . . . shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees . . . for a period not to exceed eight months."

**ONS Transmittal Number 08-02**  
**Attachment One**  
**Required Documentation for Afghani SIV Holders**

| <b>Applicant</b>   | <b>Documentation</b>  |
|--|---|
| Principal Applicant Afghan Special Immigrant   | SI1 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Spouse of Principal Applicant Afghan Special Immigrant                                     | SI2 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Unmarried Child Under 21 Years of Age of Afghan Special Immigrant                          | SI3 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Principal Applicant Afghan Special Immigrant<br><br>Principal Adjusting Status in the U.S. | DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI6  |
| Spouse of Principal Applicant Afghan Special Immigrant in P6 Category                      | DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI7  |
| Unmarried Child Under 21 Years of Age of Afghan Special Immigrant in P6 Category           | DHS Form I-551 ("green card") showing Afghan Nationality (or Afghan passport), with an IV ("immigrant visa") code of SI9  |

**ONS Transmittal Number 08-02**  
**Attachment Two**  
**Required Documentation for Iraqi SIV Holders**

| <b>Applicant</b>   | <b>Documentation</b>   |
|--|--|
| Principal Applicant Iraqi Special Immigrant  | SI1 or SQ1 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 or SQ1<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Spouse of Principal Applicant Iraqi Special Immigrant  | SI2 or SQ2 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 or SQ2<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant   | SI3 or SQ3 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 or SQ3<br><br>and DHS stamp or notation on passport or I-94 showing date of entry |
| Principal Applicant Iraqi Special Immigrant<br><br>Principal Adjusting Status in the U.S.                                | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI6 or SQ6   |
| Spouse of Principal Applicant Iraqi Special Immigrant<br><br>Principal Applicant Adjusting Status in the U.S.            | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI7 or SQ7   |
| Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant<br><br>Principal Applicant Adjusting Status in the U.S. | DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI9 or SQ9   |